

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

DESERIA R. GRIFFIN, individually and on behalf of  
all others similarly situated,

Case No.: 3:22-cv-01128-MAD-ML

Plaintiff,

v.

ENDICOTT COIL COMPANY, INC.,

Defendant.

**NOTICE OF UNOPPOSED MOTION FOR: (1) PRELIMINARY APPROVAL OF  
SETTLEMENT; (2) CONDITIONAL CERTIFICATION OF THE PROPOSED  
SETTLEMENT CLASS; (3) APPOINTMENT OF McLAUGHLIN & STERN, LLP  
AS CLASS COUNSEL; (4) APPROVAL OF THE PROPOSED NOTICE  
OF SETTLEMENT; AND (5) SCHEDULING A FAIRNESS HEARING  
FOR FINAL APPROVAL OF THE SETTLEMENT**

**PLEASE TAKE NOTICE** that upon the Declaration of Jason S. Giaimo dated August 17, 2023, together with the exhibits annexed thereto, and the accompanying Memorandum of Law, together with all prior pleadings and proceedings had herein, Plaintiff, by and through her undersigned counsel, shall move this Court, Honorable Mae A. D'Agostino, United States District Judge, 445 Broadway, Albany, New York 12207, on a date to be determined by the Court, for an Order as follows: (1) granting preliminary approval of the Settlement on the terms set forth in the Settlement Agreement and Release, which is attached as Exhibit 1 to the Declaration of Jason S. Giaimo; (2) conditionally certifying the proposed settlement class, for settlement purposes only, under Federal Rule of Civil Procedure 23(b)(3); (3) appointing McLaughlin & Stern, LLP as Class Counsel; (4) approving the proposed Notice of Settlement and Claim Form attached as Exhibits 2 and 3 to the Declaration of Jason S. Giaimo, and directing their distribution; and (5) scheduling a fairness hearing for final approval of the Settlement.

Dated: New York, New York  
August 17, 2023

McLAUGHLIN & STERN, LLP

By: /s/ Jason S. Giaimo  
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